

**HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 9032 OF 2005.

Narayan Deobu More and others. ..Petitioners.

Versus.

Sandeep Ramesh More and others. ..Respondents.

Shri. A. R. Shaikh for the Petitioners.

Shri. Arun H. Palekar for the respondents.

CORAM: S.B.MHASE, J.

DATE : MARCH 27, 2006.

P.C.

1. Heard learned counsel for the petitioners -
Shri. A. R. Shaikh and learned counsel for the
respondents - Shri. Arun H. Palekar.

2. This matter was heard on 18.3.2006. At that
time, learned counsel for the petitioner had taken time
to obtain instructions from the petitioners as to whether
the petitioners are ready to deposit the amount of
maintenance. Today, learned counsel reports that he is
not having any instructions in this regard. Order under
challenge is of grant of maintenance pending litigation.
Admittedly, the suit is for partition and the joint
family properties are in possession of the petitioners.

:2:

The respondents are wife and children of the deceased brother of the petitioners. Not coming forward with the amount of maintenance and even for partition of the properties show that the petitioners are simplicitor interested in protraction of the matter. No interference is called for. Petition is hereby rejected

(S.B.MHASE, J.)